



General Assembly

Substitute Bill No. 6174

January Session, 2003

AN ACT CONCERNING THE SALE OR DISPENSING OF CONTACT LENSES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2003*) (a) For purposes of this
2 section, "contact lenses" means lenses that: (1) Have a spherical,
3 cylindrical or prismatic power or curvature; (2) are made pursuant to a
4 current prescription; and (3) are intended to be worn on the surface of
5 the eye for vision correction or cosmetic purposes.

6 (b) No person or entity shall be authorized to sell, dispense or
7 distribute contact lenses to a patient in this state unless one of the
8 following has occurred: (1) The patient transmits or mails to such
9 person or entity a valid prescription for contact lenses, or (2) a licensed
10 optician, optometrist or ophthalmologist, having obtained written
11 authorization from such patient, transmits orally, electronically or in
12 writing, to such person or entity a copy of a valid prescription or a
13 specification for contact lenses, or (3) a licensed optician, optometrist
14 or ophthalmologist, having obtained written authorization from such
15 patient, verifies orally or in writing, a valid prescription or a
16 specification for contact lenses to such person or entity.

17 (c) A licensed optician, optometrist or ophthalmologist, having
18 obtained written authorization from such patient to verify a
19 prescription or a specification for contact lenses, shall verify such

20 prescription or specification not later than three business days from the
21 date of the patient's written authorization. The verification of such
22 prescription or specification shall include, but not be limited to, the
23 following information: (1) The manufacturer, (2) base curve, (3)
24 diameter, and (4) power of the contact lenses.

25 (d) A licensed optician, optometrist or ophthalmologist may not
26 verify a prescription or specification, pursuant to subdivision (3) of
27 subsection (b) of this section, if more than twenty-four months have
28 elapsed from the date of issuance of such prescription or specification.

29 (e) All communications and correspondence received by persons or
30 entities who sell, dispense or distribute contact lenses to patients in
31 this state, shall be maintained for a period of three years from the date
32 of receipt, and shall be subject to all state and federal confidentiality
33 requirements.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>

PH *Joint Favorable Subst.*